

Amendment No. 1 to HB1286

**Lamberth
Signature of Sponsor**

AMEND Senate Bill No. 432*

House Bill No. 1286

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 39-16-201(b), is amended by deleting the subsection and substituting instead the following:

(b) It is unlawful for any person to:

(1) Knowingly and with unlawful intent take, send, or otherwise cause to be taken into any penal institution where prisoners are quartered or under custodial supervision any weapons, ammunition, explosives, intoxicants, legend drugs, or any controlled substances or controlled substance analogues found in chapter 17, part 4 of this title;

(2) Knowingly possess any of the materials prohibited in subdivision (b)(1) while present in any penal institution where prisoners are quartered or under custodial supervision without the express written consent of the chief administrator of the institution;

(3) Knowingly and with unlawful intent take, send, or otherwise cause to be taken into any penal institution where prisoners are quartered or under custodial supervision any telecommunications device; or

(4) Knowingly possess any telecommunications device while present in any penal institution where prisoners are quartered or under custodial supervision without the express written consent of the chief administrator of the institution, if the device was used to violate or facilitate the violation of § 39-16-507, § 39-16-508, or § 39-16-605.

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SECTION 2. Tennessee Code Annotated, Section 39-16-201(c), is amended by deleting the subsection and substituting instead the following:

(c) A violation of subdivision (b)(1) or (b)(2) is a Class C felony. A violation of subdivision (b)(3) or (b)(4) is a Class E felony.

SECTION 3. This act shall take effect July 1, 2017, the public welfare requiring it.